

REMARKS

This is a full and timely response to the non-final Office Action mailed August 23, 2004. Upon entry of the attached amendments, claims 1 - 53 are pending in the application. Claims 1 - 53 have been amended. The subject matter of the amended claims is supported in the schematics, plots, and flow diagrams, of at least FIGs. 1, 3A, 3B, 4 - 8, 9A, 9B, 10, 11, 12A, 12B, 13A, 13B, and 14 - 16 and the related detailed description. Consequently, no new matter is added to the present application.

The following remarks address each rejection, and will distinguish Applicants' claimed systems and methods from the cited art of record. Accordingly, reconsideration and allowance of the application and presently pending claims 1 - 53 are respectfully requested.

I. Claim to Domestic Priority Under 35 U.S.C. § 120

The Office Action alleges that Applicants have not complied with one or more conditions for receiving the benefit of an earlier filing date. Specifically, the Office Action states that the later-filed application must be an application for a patent for an invention that was disclosed in the prior application.

Applicants respectfully traverse the Office's allegation and objection to acknowledge Applicants' claim to the benefit of an earlier filing date under 35 U.S.C. § 120. Applicants filed a provisional application on December 11, 2000. The provisional application contains a system specification that describes a session router and its use to advertise and screen route advertisements that traverse one or more Internet telephony administrative domains. Applicants' provisional application contains a written description of the claimed systems and methods and the manner and process of making and using the same in full, clear, concise, and exact terms to enable any person skilled in the art to which it pertains to make and use the same. Consequently, the Office is requested to acknowledge the earlier filing date under 35 U.S.C. § 120. Should the Office decide not to grant the benefit of the filing date of the provisional application, Applicants' respectfully request the Office to distinctly point out those features from the claims that are allegedly absent from the specification of the provisional application.

II. Claim Objections - Claims 3, 6, 12, 18, 25, and 31

A. Statement of the Objection

The Office Action indicates that claims 6, 12, 18, 25, and 31 are objected to because of minor informalities. Specifically, the statement of the objection indicates that claims that depend from a dependent claim should not be separated by any claim that does not also depend from said dependent claim. The statement further reminds Applicants that a dependent claim may refer to any preceding independent claim. The statement refers the Applicants to MPEP § 608.01(n).

The Office Action further objects to claim 3 because it does not end with a period.

B. Discussion of the Objection

Applicants respectfully traverse the objection to claims 6, 12, 18, 25, and 31. Claims 6, 12, and 18 each depend directly from independent claim 1. Thus, claims 6, 12, and 18 do not depend from a dependent claim and depend from a preceding independent claim (*i.e.*, independent claim 1). Claims 25 and 31 each depend directly from independent claim 20. Thus, claims 25 and 31 do not depend from a dependent claim and depend from a preceding independent claim (*i.e.*, independent claim 20). MPEP § 608.01(n), which is directed to multiple dependent claims, does not apply to claims 6, 12, 18, 25, and 31, which each depend from a single independent claim. Accordingly, the objection to claims 6, 12, 18, 25, and 31 is misplaced and should be withdrawn.

Applicants have amended claim 3, such that the claim ends with a period. Accordingly, the objection to claim 3 should be withdrawn.

III. Claim Rejections Under 35 U.S.C. § 112 - Claims 3 - 5, 10, 11, 22 - 24, 28 - 30, 39 - 41, and 45 - 47

A. Statement of the Rejection

The Office Action indicates that claims 3 - 5, 10, 11, 22 - 24, 28 - 30, 39 - 41, and 45 - 47 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, the Office Action indicates that a skilled artisan could not comprehend “more specific address” or “less specific address.”

B. Discussion of the Rejection

Applicants have amended claims 3 - 5, 10, 11, 22 - 24, 28 - 30, 39 - 41, and 45 - 47, such that the claims no longer include the phrases “more specific address” or “less specific address.” Accordingly, the rejection of claims 3 - 5, 10, 11, 22 - 24, 28 - 30, 39 - 41, and 45 - 47 has been overcome and the rejection of these claims should be withdrawn.

IV. Claim Rejections Under 35 U.S.C. 102 – Claims 1 - 12, 17 - 31, 36 - 48, and 53

A. Statement of the Rejection

The Office Action indicates that claims 1 - 12, 17 - 31, 36 - 48, and 53 stand rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Kaczmarczyk *et al.* (U.S. Patent No. 6,775,269), hereafter *Kaczmarczyk*.

B. Discussion of the Rejection

Applicants’ independent claims 1, 20, and 37, as amended, contain features that are not disclosed, taught, or suggested in *Kaczmarczyk*.

A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior-art reference disclose each element, feature, or step of the claim. See *e.g.*, *E.I. du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 7 USPQ2d 1129 (Fed. Cir. 1988).

Kaczmarczyk fails to disclose, teach, or suggest each element and/or method step in the claims.

Accordingly, *Kaczmarczyk* does not anticipate claims 1, 20, and 37. Because independent claims 1, 20, and 37 are not anticipated, dependent claims 2 - 19, 21 - 36, and 38 - 53, which depend directly or indirectly from independent claims 1, 20, and 37 are also not anticipated by *Kaczmarczyk*.

1. Claims 1 - 12 and 17 - 19

Turning now to the specific claim rejections, claim 1 is exemplary. For convenience of analysis, independent claim 1, as amended, is repeated on the following page in its entirety.

1. A system for screening a real-time transport protocol route advertisement communicated between adjacent Internet telephony administrative domains prior to comparing an advertised route to a policy, comprising:

a database server configured to store at least one policy, the at least one policy comprising attributes associated with one or more routes; and

a plurality of session routers in communication with the database server and configured to determine a source of a real-time transport protocol route advertisement;

when it is determined that a real-time transport protocol route advertisement received at a respective session router is from an Internet telephony administrative domain managed by another administrative entity than the administrative entity that manages the respective session router, the session router is configured to perform a destination screen of said route advertisement, ***wherein a destination address defined by said received route advertisement is compared to a destination address,*** and

when it is determined that a real-time transport protocol route advertisement received at a respective session router is from the administrative entity that manages the respective session router, the session router is configured to perform an origin screen of said route information, ***wherein an origin address defined by said received route advertisement is compared to an origin address.***

(Applicants' independent Claim 1 - *Emphasis added.*)

Kaczmarczyk fails to disclose, teach, or suggest at least the emphasized elements of claim 1. *Kaczmarczyk* fails to disclose, teach, or suggest a system comprising "a plurality of session routers in communication with the database server and configured to determine a source of a real-time transport protocol route advertisement," wherein the session routers conditionally compare a destination address defined by the route advertisement and an origin address defined by the route advertisement to respective destination and origin addresses.

Kaczmarczyk, as indicated by its title, "Method and System for Routing Telephone Calls Between a Public Switched Telephone Network and an Internet Protocol Network," is directed to routing a telephone call originating in one network that uses a first signaling protocol to a termination in another network that uses a second signaling protocol. Absent from *Kaczmarczyk* is any reference to "screening a real-time transport protocol route advertisement communicated between adjacent Internet telephony administrative domains prior to comparing an advertised route to a policy." Specifically,

Kaczmarczyk fails to disclose, teach, or suggest “a plurality of session routers in communication with the database server and configured to determine a source of a real-time transport protocol route advertisement.” *Kaczmarczyk* also fails to disclose, teach, or suggest that “a destination address defined by said received route advertisement is compared to a destination address” and that “an origin address defined by said received route advertisement is compared to an origin address.” Accordingly, for at least each of these separate reasons, *Kaczmarczyk* does not anticipate Applicants’ claimed system and the rejection of claim 1 should be withdrawn.

Because independent claim 1 is allowable, dependent claims 2 – 12 and 17 - 19, which depend either directly or indirectly from claim 1, are also allowable. *See In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, Applicants respectfully request that the rejection of claims 1 – 12 and 17 - 19 be withdrawn.

2. Claims 20 - 31 and 36

Claim 20 is also exemplary. For convenience of analysis, independent claim 20, as amended, is repeated below in its entirety.

20. A method of screening a real-time transport protocol route advertisement prior to comparing said route advertisement to a policy, comprising the steps of:

receiving a route advertisement describing a route from a first endpoint to a second endpoint at a session router;

determining when said route advertisement is received from an Internet telephony administrative domain managed by another administrative entity than the administrative entity that manages the session router;

when said route advertisement is from an Internet telephony administrative domain managed by another administrative entity, performing a destination screen of said route advertisement, wherein a destination address defined by said received route advertisement is compared to a destination address defined by said destination screen; and

when said route advertisement is from the administrative entity that manages the session router, performing an origin screen of said route advertisement, wherein an origin address defined by said received route advertisement is compared to an origin address defined by said origin screen.

(Applicants’ independent Claim 20 - *Emphasis added.*)

Kaczmarczyk fails to disclose, teach, or suggest at least the emphasized steps of claim 20. *Kaczmarczyk* fails to disclose, teach, or suggest a method of screening a real-time transport protocol route advertisement prior to comparing said route advertisement to a policy comprising “receiving a route advertisement describing a route from a first endpoint to a second endpoint at a session router;” and “determining when said route advertisement is received from an Internet telephony administrative domain managed by another administrative entity than the administrative entity that manages the session router;” wherein a conditional screen is applied to the received route advertisement.

Kaczmarczyk, as shown above, is directed to routing a telephone call originating in one network that uses a first signaling protocol to a termination in another network that uses a second signaling protocol. Absent from *Kaczmarczyk* is any reference to “receiving a route advertisement describing a route from a first endpoint to a second endpoint at a session router.” Further absent from *Kaczmarczyk* is any reference to “determining when said route advertisement is received from an Internet telephony administrative domain managed by another administrative entity than the administrative entity that manages the session router.” Also absent from *Kaczmarczyk* is any reference to “performing a destination screen of said route advertisement, wherein a destination address defined by said received route advertisement is compared to a destination address defined by said destination screen,” or “performing an origin screen of said route advertisement, wherein an origin address defined by said received route advertisement is compared to an origin address defined by said origin screen.” Accordingly, for at least each of these separate reasons, *Kaczmarczyk* does not anticipate Applicants’ claimed method of screening a real-time transport protocol route advertisement prior to comparing said route advertisement to a policy. Consequently, the rejection of claim 20 should be withdrawn.

Because independent claim 20 is allowable, dependent claims 21 - 31 and 36, which depend either directly or indirectly from claim 20, are also allowable. *See In re Fine, supra*. Accordingly, Applicants respectfully request that the rejection of claims 20 - 31 and 36 be withdrawn.

3. Claims 37 - 48 and 53

Claim 37 is also exemplary. For convenience of analysis independent claim 37, as amended, is repeated on the following page in its entirety.

37. A system for screening real-time transport protocol route advertisements prior to comparing said routes to a policy, comprising:

means for receiving a route advertisement describing a route that traverses one or more Internet telephony administrative domains;

means for identifying a managing entity that controls an originating device and a managing entity that controls a destination device defined by the route advertisement, which is logically connected to said means for receiving;

means for performing a destination screen of said route advertisement, which is configured to compare a destination address defined by received route advertisement to a destination address defined by said destination screen, which is logically connected to said means for receiving and said means for identifying; and

means for performing an origin screen of said route advertisement, which is configured to compare an origin address defined by said received route advertisement to an origin address defined by said origin screen, which is logically connected to said means for receiving, said means for identifying, and said means for performing.

(Applicants' independent Claim 37 - *Emphasis added.*)

Kaczmarczyk fails to disclose, teach, or suggest at least the emphasized elements of claim 37. *Kaczmarczyk* fails to disclose, teach, or suggest a system comprising "means for receiving a route advertisement describing a route that traverses one or more Internet telephony administrative domains." *Kaczmarczyk* also fails to disclose, teach, or suggest a system comprising "means for identifying a managing entity that controls an originating device and a managing entity that controls a destination device defined by the route advertisement." Furthermore, *Kaczmarczyk* fails to disclose, teach, or suggest a system comprising "means for performing a destination screen of said route advertisement." Moreover, *Kaczmarczyk* fails to disclose, teach, or suggest a system comprising "means for performing an origin screen of said route advertisement."

Kaczmarczyk, as shown above, is directed to routing a telephone call originating in one network that uses a first signaling protocol to a termination in another network that uses a second signaling protocol. Absent from *Kaczmarczyk* is any reference to "means for receiving a route advertisement describing a route that traverses one or more Internet telephony administrative domains." Further absent from *Kaczmarczyk* is any reference to "means for identifying a managing entity that controls an originating device and a managing entity that controls a destination device defined by the route

advertisement.” Also absent from *Kaczmarczyk* is any reference to “means for performing a destination screen of said route advertisement.” Absent from *Kaczmarczyk* is any reference to “means for performing an origin screen of said route advertisement.” Accordingly, for at least each of these separate reasons, *Kaczmarczyk* does not anticipate Applicants’ claimed system and the rejection of claim 37 should be withdrawn.

Because independent claim 37 is allowable, dependent claims 38 - 48 and 53 which depend either directly or indirectly from claim 37, are also allowable. *See In re Fine, supra*. Accordingly, Applicants respectfully request that the rejection of claims 37 - 48 and 53 be withdrawn.

V. Claim Rejections under 35 U.S.C. §103(a) - Claims 13 - 16, 32 - 35, and 49 - 52

A. Statement of the Rejection

The Office Action indicates that claims 13 - 16, 32 - 35, and 49 - 52 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Kaczmarczyk* in view of U.S. Patent No. 6,754,181 to Elliott *et al.*, hereafter *Elliott*.

B. Discussion of the Rejection

Applicants’ claims 13 - 16, 32 - 35, and 49 - 52 are not obvious over the proposed combination for at least the reason that the proposed combination of references fails to disclose, teach, or suggest each element in the claims.

In order for a claim to be properly rejected under 35 U.S.C. §103, the combined teachings of the prior art references must suggest all features of the claimed invention to one of ordinary skill in the art. *See, e.g., In Re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988), and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981).

The proposed combination of *Kaczmarczyk* and *Elliott* fails to suggest all features of the claimed system. The proposed combination fails to disclose, teach, or suggest “[a] system for screening a real-time transport protocol route advertisement communicated between adjacent Internet telephony administrative domains prior to comparing an advertised route to a policy.” Specifically, the proposed combination fails to disclose, teach, or suggest “a plurality of session routers in communication with the database server and configured to determine a source of a real-time transport protocol route advertisement.” The proposed combination also fails to disclose, teach, or suggest that

“a destination address defined by said received route advertisement is compared to a destination address” and that “an origin address defined by said received route advertisement is compared to an origin address.” Accordingly, for at least each of these separate reasons, the proposed combination does not render Applicants’ claimed system obvious. For at least the reasons that claims 13 - 16 depend from claim 1, include all the features of independent claim 1, and these features are not disclosed, taught, or suggested by *Kaczmarczyk* and *Elliott*, the rejection of claims 13 - 16 should be withdrawn.

The proposed combination of *Kaczmarczyk* and *Elliott* also fails to suggest at least the above-emphasized steps of independent claim 20. The proposed combination fails to disclose, teach, or suggest “receiving a route advertisement describing a route from a first endpoint to a second endpoint at a session router.” The proposed combination fails to disclose, teach, or suggest “determining when said route advertisement is received from an Internet telephony administrative domain managed by another administrative entity than the administrative entity that manages the session router.” The proposed combination fails to disclose, teach, or suggest “performing a destination screen of said route advertisement, wherein a destination address defined by said received route advertisement is compared to a destination address defined by said destination screen,” or “performing an origin screen of said route advertisement, wherein an origin address defined by said received route advertisement is compared to an origin address defined by said origin screen.” Accordingly, for each of these separate reasons, the combination of *Kaczmarczyk* and *Elliott* does not render Applicants’ claimed method of screening a real-time transport protocol route advertisement prior to comparing said route advertisement to a policy obvious. For at least the reasons that claims 32 - 35 depend from claim 20, include all the features of independent claim 20, and these features are not disclosed, taught, or suggested by *Kaczmarczyk* and *Elliott*, the rejection of claims 32 - 35 should be withdrawn.

The proposed combination of *Kaczmarczyk* and *Elliott* fails to suggest all features of the claimed system. The proposed combination fails to disclose, teach, or suggest “[a] system for screening real-time transport protocol route advertisements prior to comparing said routes to a policy.” Specifically, the proposed combination fails to disclose, teach, or suggest “means for receiving a route advertisement describing a route that traverses one or more Internet telephony administrative domains.” The proposed combination also fails to disclose, teach, or suggest “means for identifying a managing entity that controls

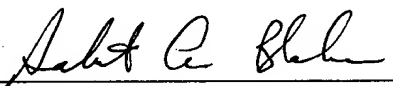
an originating device and a managing entity that controls a destination device defined by the route advertisement.” Furthermore, the proposed combination fails to disclose, teach, or suggest a system comprising “means for performing a destination screen of said route advertisement.” Moreover, the proposed combination fails to disclose, teach, or suggest a system comprising “means for performing an origin screen of said route advertisement.” Accordingly, for at least each of these separate reasons, the proposed combination does not render Applicants’ claimed system obvious. For at least the reasons that claims 49 - 52 depend from claim 37, include all the features of independent claim 37, and these features are not disclosed, taught, or suggested by *Kaczmarczyk* and *Elliott*, the rejection of claims 49 - 52 should be withdrawn.

CONCLUSION

In summary, Applicants respectfully submit that presently pending claims 1 - 53 are allowable and the present application is in condition for allowance. Accordingly, a Notice of Allowance is respectfully solicited. Should the Examiner have any comments regarding the Applicants’ response or intends to dispose of this matter in a manner other than a Notice of Allowance, Applicants request that the Examiner telephone Applicants’ undersigned attorney.

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